



LAS VEGAS CITY COUNCIL

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CITY MANAGER

November 16, 2005

Mr. Sam Cherry
Cherry Holdings, Inc.
1361 West Warm Springs Road
Henderson, Nevada 89014RE: SDR-8577 -- SITE DEVELOPMENT PLAN REVIEW
CITY COUNCIL MEETING OF OCTOBER 19, 2005
RELATED TO SUP-8578 AND SUP-8579

Dear Mr. Cherry:

The City Council at a regular meeting held October 19, 2005 APPROVED the request for a Site Development Plan Review FOR A 65-STORY MIXED-USE DEVELOPMENT CONSISTING OF 22,000 SQUARE FEET OF COMMERCIAL SPACE AND 425 RESIDENTIAL UNITS; AND A WAIVER OF THE CENTENNIAL PLAN BUILDING STEPBACK REQUIREMENT on 0.80 acres adjacent to the southwest corner of Gass Avenue and Third Street (APN 139-34-410-072 through 076), C-2 (General Commercial) Zone and R-4 (High Density Residential) Zone under a Resolution of Intent to C-2 (General Commercial) Zone. The Notice of Final Action was filed with the Las Vegas City Clerk on October 20, 2005. This approval is subject to:

Planning and Development

1. A Special Use Permit (SUP-8578) to allow the mixed-use development and a Special Use Permit (SUP-8579) to allow a structure in excess of 200 feet in the Airport Overlay District, approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City of Las Vegas
3. All development shall be in conformance with the site plan and building elevations, date stamped 08/05/05, except as amended by conditions herein.
4. A Waiver from Downtown Centennial Plan building stepback requirement is hereby approved, to allow the configuration of the building as shown in the submitted elevations.

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5. A public sidewalk with a minimum width of 11 feet and a five-foot deep amenity zone directly adjacent to the curb is required along all street frontages in accordance with Graphic 7 and Graphic 8 of Subsection DS4.2 of the Downtown Centennial Plan. The sidewalk shall include a decorative paving treatment at the intersections. All streetscape treatments shall conform to match the Fourth Street improvements installed by the City of Las Vegas.
6. Palm trees shall be installed in the public right-of-way on north/south streets at a maximum spacing of 35 feet on center (30 feet on center preferred) in accordance with Subsection DS4.2.a of the Downtown Centennial Plan. The palm trees shall have a minimum height of 25 feet upon installation, as measured to the top of the brown trunk. Shade trees, in single or double rows, may be provided alternately between the required palm trees.
7. Shade trees shall be installed in the public right-of-way on east/west streets at a maximum spacing of 30 feet on center (15-20 feet on center preferred) in accordance with Subsection DS4.2a of the Downtown Centennial Plan. Minimum tree size shall be a 24-inch box; a 36-inch box size is preferred.
8. All new developments shall provide and install standard Fourth Street style fixtures in place of existing fixtures in accordance with Subsection DS3.1.k of the Downtown Centennial Plan. Exact specifications, shop drawings, and standard suppliers can be obtained from the City of Las Vegas Engineering Design Superintendent, Department of Public Works, 229-6272.
9. The surfacing of the alley shall conform to the Alleyway Treatment, as described in Subsection DS2.1.g, and as depicted in Graphic 4 of the Downtown Centennial Plan.
10. A permanent underground sprinkler system shall be installed in all landscape areas as required by the City of Las Vegas and shall be permanently maintained in a satisfactory manner.
11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. The landscape plan shall include irrigation specifications.
12. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location, in accordance with Subsection DS2.1.f of the Downtown Centennial Plan.
13. Utilities and power service lines in alleys adjacent to the subject site shall be located underground in accordance with Subsection DS2.1.f. of the Downtown Centennial Plan.

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14. The elevations of the parking structure portion of the building shall be revised and approved by Planning and Development Department staff prior to the time application is made for a building permit, with additional architectural features to comply with the Downtown Centennial Plan Architectural Design Standards.
15. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum of 22% reflectivity.
16. Any ramps or stairs that are necessary to transition from the grade of the public sidewalk to the finished floor elevation of the ground floor of the building shall be accommodated on site, and shall not encroach the public right-of-way.
17. All mechanical equipment, air conditioners and trash areas shall be fully screened from street level and surrounding building views in accordance with Subsection DS5.1.j. Service areas shall be screened from pedestrian or street view, utilizing landscaping and/or architectural elements that are consistent with the design and materials of the primary building.
18. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
19. Prior to the submittal of a building permit, the applicant shall meet with Planning and Development Department staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
20. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

21. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; comply with the recommendations of the City Surveyor.
22. Dedicate a 10-foot radius on the southwest corner of Cass Avenue and Third Street. Alternatively, grant an easement for pedestrian access, traffic signal equipment and for a site visibility restriction zone within a 10-foot radius area at the southwest corner of Cass Avenue and Third Street.
23. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.

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24. Meet with the Traffic Engineering Representative in Land Development for assistance in the possible redesign of the proposed driveway access prior to the submittal of any construction plans or the issuance of any permits, whichever may occur first. Driveways shall be designed, located and constructed to meet the intent of Standard Drawing #222A. All structures and landscaping installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
25. Coordinate with the Collection System Planning Section of the Department of Public Works to determine public sewer extension and connection requirements within Casino Center Boulevard prior to the issuance of any permits or the submittal of a map for this site. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
26. Meet with the Flood Control Section of the Department of Public Works for assistance with establishing finished floor elevations and drainage patterns for this site prior to submittal of construction plans, the issuance of any building or grading permits or the submittal of map subdividing this site, whichever may occur first. Provide and improve all drainage ways as recommended.
27. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights of way are not required and Traffic Control devices are or may be proposed at this site outside of the public right of way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
28. Landscape and maintain all unimproved rights-of-way, if any, on Cass Avenue and Third Street adjacent to this site.

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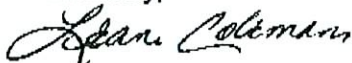
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29. Submit an Encroachment Agreement for all landscaping and private improvements, if any, located in the Gass Avenue and Third Street public rights-of-way adjacent to this site prior to occupancy of this site.
30. Meet with the Clark County School District to discuss the impact this site plan has on the District's schools, and to identify possible methods to mitigate the impacts.
31. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

Sincerely,



Leán Coleman
Deputy City Clerk II for
Barbara Jo Ronemus, City Clerk



M. Margo Wheeler, AICP
Director
Planning and Development Department

cc: Planning and Development Dept.
Development Coordination-DPW
Dept. Of Fire Services

Mr. Mark Jaget
2 DY, LLC
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3800 Howard Hughes Parkway, 7th Floor
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